

HEARING ON MERITS WILL BEGIN TODAY

Judge Shackelford Overrules
Technical Motions in Annex-
ation Proceedings.

O. D. LAND COMPANY A PARTY DEFENDANT NOW

Corporation Joins With Counties to
Fight Against Extension of City
Limits—City Attorney Massie
Scores Against Strong Array of
Opposing Counsel.

(From Staff Correspondent).
WARWICK COURT HOUSE, VA.—
April 19.—City Attorney Massie, bat-
tling single-handed against an impos-
sible array of legal talent repre-
sented by Warwick and Elizabeth City
counties, today scored his first victory
in the Newport News annexation pro-
ceedings now pending in the Circuit
Court of Warwick county. Judge
George Shackelford, of Orange county,
sitting by Governor Mann's designa-
tion in the stead of Judge D. G. Tyler,
overruled a demurrer and two motions
to dismiss by counsel for the
counties and announced that, after
looking over the territory proposed
to be annexed, he would begin hearing
the case on its merits this morning.
Thus the annexation case, in which
all the lower peninsula is interested
and which has been held practically
at a standstill for nearly six months
by the legal strategy of counsel for
the counties, actually is to come to
trial today, the ingenious opposing at-
torneys having exhausted every con-
ceivable technical resource to hinder
and harass the city in its effort to get
the proceedings before the court upon
their merits.

Judge Views Territory.
Judge Shackelford returned to New-
port News from Warwick Court
House about 2 o'clock and spent the
afternoon driving over the territory
involved in the proceedings. He will be
on the bench again tomorrow morning
at 9:30 o'clock and, unless counsel for
the parties defendant spring a sur-
prise in the way of some newly dis-
covered or withheld technicality, the
first witness probably will be called
to the stand a few minutes after court
convenes.

As there are more than a score of
witnesses to be examined and as the
seven lawyers in the case probably
will have lengthy arguments to make,
it is hardly probable that the hearing
will be concluded before Thursday
night, if then.

O. D. Land Company in Fight.
One of the important, though not
unexpected, developments in the case
came today after the court
had overruled the motions to
dismiss and the demurrer. J.
Winston Read, of counsel for
Warwick county, presented on be-
half of R. G. Bickford, a request that
the Old Dominion Land Company and
the Newport News Light and Water
Company be made parties defendant
in the proceedings. This means that
the Old Dominion Land Company
powers will join forces with the coun-
ty to make a strenuous effort to pre-
vent the proposed extension of the
city's limits.

This action had been anticipated,
as the land company owns many acres
of vacant property in the territory be-
low the southern limits, and if this
territory should be taken within the
limits, at the end of five years the
city tax rate would apply to the com-
pany's vacant property.

At the time Mr. Bickford's request
was filed, counsel for both counties,
who heretofore had appeared "speci-
ally" and only for the purpose of of-
fering technical objections, formally
asked that their clients be made
parties defendant.

Sixty Other Defendants.
Mr. Read also filed a petition signed
by some sixty individual property
owners residing in the territory pro-
posed to be annexed, all of whom de-
sired to come into the case as de-
fendants.
Pleadings were made up and filed,
and today the opposing forces will
meet at the bar in battle array, with
the city of Newport News, represented
by City Attorney J. A. Massie, on one
side, and on the other Warwick
county, represented by Common-
wealth's Attorney P. St. G. Wilcox, of
Richmond; Elizabeth City county,
represented by Commonwealth's At-
torney E. E. Montague and S. Gordon
Cumming; the Old Dominion Land
Company and the Newport News
Light and Water Company, represented
by R. G. Bickford, and the sixty
property owners represented by the
counsel for Warwick.

Six Months of Delay.
The annexation proceedings were

commenced by the city last Novem-
ber, but on account of misunderstand-
ings and disagreements, it was not un-
til February that Judge Thornton, of
Prince William county, designated by
Judge Mann to sit for Judge Tyler
(the statute makes the judge of the
circuit in the territory involved in-
competent to hear the proceedings)
officially came to Warwick to take up
the case. Judge Thornton sustained a
motion to dismiss the proceedings
on the ground of insufficient notice
to the counties. Then, after the re-
quired notice had been served by the
city upon each of the members of
the boards of supervisors of the coun-
ties, the governor was asked to name
another judge to sit, and Judge Jesse F.
West, of Surry county, was appoint-
ed. Judge West came to Warwick
and set April 19 as the date for tak-
ing up the case, overruling, insofar as
his right to set the date was concern-
ed, a contention by counsel for the
counties that he was incompetent
to sit on account of the proximity of
his circuit to the territory involved.
Judge West did not pass upon the
question of his right to try the case
upon its merits, but later he asked
Governor Mann to designate another
judge for the case because of the
press of his duties in his own cir-
cuit. An order setting forth these
facts was entered; then Judge Mann
designated Judge Shackelford.

Dilatory Tactics Resumed.
Today, with Judge Shackelford
on the bench the attorneys for the
counties resumed their dilatory tac-
tics, demurring and moving to dis-
miss. However, it was apparent from
the start that the judge had come to
dispose of the case and that he did
not propose to be held up by hair-
splitting technicalities.
When Sheriff Curtis had command-
ed silence in court, Mr. Massie stated
to the court that he understood that
his honor had been commissioned to
sit in vacation in the stead of Judge
D. Gordner Tyler to hear this pro-
ceeding.
Mr. Cumming, stating that he ap-
peared specially only for Elizabeth
City county, raised the point that the
judge was not present under a legal
warrant to hear this proceeding. Mr.
Cumming contended that as the
judge of the Fourteenth judicial cir-

(Continued on Fourth Page.)

BRYAN CALLS ON TAFT

Nebraskan at Capitol, Advises
Democrats on Legislation.

FAVORS POSTAL BANK BILL

"Peerless" One Thinks Minority Mem-
bers of Congress Should Support De-
pository Measure, But He Says the
Railroad Bill Should be Defeated.

(By Associated Press.)
WASHINGTON, D. C., April 19.—
William Jennings Bryan and Presi-
dent Taft spent more than an hour
closeted together at the White House
late today. The two great travelers
exchanged reminiscences. It is said,
and both commented upon how well
the other was looking. The President
rather intimated that being beaten
at the polls did not seem to be such
a bad thing for one's health and hap-
piness after all.

"The call was purely a social one,"
said Mr. Bryan.
"Did you discuss the tariff bill?"
he was asked.

"No," smiled the Nebraskan, "we
forgot all about it."
"Or politics?"
"No, that did not occur to us either."

Both the President and Mr. Bryan
seemed to have thoroughly enjoyed
the quiet chat.
Mr. Bryan walked in democratic
fashion to the White House. He was
received with unusual courtesy by the
attaches and was shown, without a
moment's delay, into the President's
office. Mr. Bryan left at 7:55 tonight
for Lincoln, Neb.

Makes Plea for Porto Rico.
Mr. Bryan, earlier in the day, visited
the capitol to urge congress to
make an appropriation to exterminate
the hook worm in Porto Rico and to
establish a Pan-American college there.

At a hearing before the house com-
mittee on insular affairs, the distin-
guished Nebraskan pictured Porto
Rico as a place of beauty and pic-
turesque magnificence, but an island
with burdens which the United States
should help to relieve.
He declared Porto Rico was the
"key by which we are to unlock
South America," and that South
America offered a golden opportunity
for the immigrant. He predicted that
in half a century the population of
South America would be increased
from 25,000,000 to 50,000,000.

Talks on Legislation.
During his visit to the capitol, Mr.
Bryan met a number of Democrats in
the minority room and to them he
expressed his views on pending legis-
lation, especially the postal savings
banks of railroad bill. Mr. Bryan
expressed his opinion that the Demo-

(Continued on Fifth Page.)

MURDERED GIRL'S MOTHER ON STAND

Albert Wolter Faces Parent
of His Alleged Victim
in Court.

PRISONER HEARS STORY WITH NO EMOTION

Ruth Wheeler's Accused Slayer is on
Trial in New York Charged With
Killing and Horribly Mutilating the
Body of the Young Stenographer—
Witnesses Tell of Finding Remains.

(By Associated Press.)
NEW YORK, April 19.—Albert
Wolter sat in court this afternoon
and faced the mother of Ruth
Wheeler, the fifteen-year-old steno-
grapher, with whose murder he stands
charged. At no time during Mrs.
Wheeler's testimony did he openly
evince emotion.

Mrs. Wheeler was called as the
third witness by the state. The jury
box had been filled shortly after the
opening of the afternoon session
and Frank Moss, assistant district at-
torney, had delivered the opening ad-
dress for the prosecution.

Evidence Circumstantial.
Mr. Moss spoke calmly in a low,
even tone which made more gres-
some the harrowing details of the
murder. He admitted that the state
would depend largely on circumstan-
tial evidence, "but," he said, "I shall
show that her death was caused by
strangulation. I shall show you the
cord that was found around her neck
and which sank into the tissues. I
shall show you that strangulation
and incineration were not the only in-
juries inflicted on that poor girl's
body, and the person who killed her,
I shall prove is Albert Wolter."

During this recital, Wolter showed
some evidence of emotion. When
Mr. Moss had closed, however, the
prisoner quickly regained his com-
posure.

Describe Horrible Find.
Mrs. Wheeler appeared as a wit-
ness after an architect had identified
a diagram of Wolter's room, where
the body was found, and after John
Taggart, a waiter, who lived in an
adjoining apartment, had described
how he and his wife found the bundle
in which the upper part of Ruth
Wheeler's body was wrapped. This
bundle was pushed from a fire escape
and subsequently opened in the yard
below.

Taggart told, with effect, how he
had cut the sack open and revealed
a charred bust, but with the face
blackened and the teeth protruding.
It was a horrible description, but
Wolter was apparently unconcerned.

CHARGES AGAINST BARRINGER DISMISSED

President of V. P. I. Comes
Out Triumphant Over Accu-
sations of Alumni.

(Special to Daily Press.)
RICHMOND, VA., April 19.—By a
vote of seven to two, the board of
visitors of the Virginia Polytechnic
Institute, today dismissed the charges
brought against President Paul B.
Barringer by the welfare committee
of the Alumni Association. The
minority report was rejected by the
same vote.

The report of the board says in
part:

The Report.
"When members of a committee of
the alumni are to be allowed to sit
with the board of visitors, to aid in
their deliberations and shape their
decisions, which was one at the meeting
in June, there is evidence of a con-
fusion of proper ideas and lack of
knowledge of proper procedure and
a lack of confidence in the board, to-
gether with a seeming desire to usurp
delegated authority, all of which spell
disorder."

The report further states that it
has not been customary in Virginia to
allow counsel before the boards of
visitors of educational institutions,
this being given as the reason for
the refusal to allow attorneys for the
welfare committee of Dr. Barringer to
participate in the investigation.

All Swept Aside.
Only a few of the more important
charges against Dr. Barringer were
dealt with and in each case no
grounds for the allegations were
found.

A caution is given to the students,
regarding the publications in their
college paper, "The Tech," reminding
them that there are certain prop-
erties that must be observed, and the
matter is left in the hands of the
committee on publication.

CABELL NOT IN RACE.

Former Aspirant for Congress Will
Not Oppose Maynard.

NORFOLK, VA., April 19.—Colonel
George C. Cabell said today that he
would not be an aspirant for congress
in the approaching congressional pri-
mary election in the Second district.
Colonel Cabell in two previous years
has opposed Congressman Harry L.
Maynard for the Democratic nomi-
nation to congress, but this year will not
enter the race. He is now city attor-
ney of Norfolk, and will not seek con-
gressional honors again at this time.
J. Peter Holland, of Southampton,
who several days ago announced that
he would be in the race again this
year, has reaffirmed his determination
to run this year.

Two years ago the aspirants were:
Congressman Maynard, Colonel Cabell
and Mr. Holland.
This year even a greater number of
aspirants are mentioned, these in-
cluding Congressman Maynard, Wil-
liam A. Young and J. S. Barron, of
Norfolk; J. Peter Holland, of South-
ampton, and State Senator E. E. Hol-
land, of Nansemond.

STAND IN RAIN TO GET GLIMPSE OF BRIDE

One of America's Wealthiest
Ladies Becomes Wife in
New York.

(By Associated Press.)
NEW YORK, April 19.—Miss Mar-
jorie Gwynn Gould, eldest daughter
of George J. Gould, and one of the
richest and most attractive girls in
America, is today the bride of an
American.

In a heavy downpour of rain, she
was married at 4 o'clock this after-
noon to Anthony J. Drexel, Jr., of
Philadelphia, forming an alliance be-
tween two of the wealthiest families
in the land.

St. Bartholomew's Episcopal church,
on Madison avenue, was thronged and
outside police reserves kept back a
crowd of hundreds who, wet to the
skin, stood on the sidewalks for nearly
an hour, hoping to catch a glimpse
of the bride.

Two hours before the wedding, the
church was stormed by a crowd of
women and before the police arrived,
blossoms were plucked and vines and
ferns were torn down in the rush for
souvenirs. A funeral service was
held in the chapel adjoining the
church at noon, and many women
went to the funeral, it is said, as a
rue to gain admittance to the church
for the wedding ceremony. Sextons
tried in vain to compel them to leave
and finally the police were forced to
act and the uninvited were unceremoniously ejected. Outside, however,
braver feminine spirits stood in the
downpour regardless of soaked cloth-
ing and ruined hats.

The force of detectives stood on
guard all day over the wedding pres-
ents. Various estimates were made
of their value, some as high as \$2,000,
000.

FIRE WORKS HAVOC IN DETROIT STORE

Seven Story Building is Gut-
ted and Entire Stock of
Goods is Destroyed.

(By Associated Press.)
DETROIT, MICH., April 19.—Fire
broke out shortly after 6 o'clock to-
night in the Hunter & Hunter de-
partment store, a seven story build-
ing in the center of the retail dis-
trict in Woodward avenue. The
stock was completely destroyed and
adjacent buildings were threatened.
The total loss is estimated at \$45,
000.

SAVES HIS CHILD.

Father Plunges Into Sea Near Nor-
folk and Rescues Daughter.

NORFOLK, VA., April 19.—Seeing
his little daughter Ruth swept over-
board from the deck of a tugboat
into a raging, stormy sea near
here, Captain George McVey
shouted to her that he, too, was com-
ing, and immediately plunged after
her.

He caught her before she sank.
By that time the tug, which could
not be stopped immediately, had got-
ten far away, but in a fierce struggle
against the waves the father kept
himself and child afloat until the
tug could be brought back.
The little girl received a severe
scalp wound.

Postmasters Nominated.

(By Associated Press.)
WASHINGTON, D. C., April 19.—
The President today nominated the
following postmasters: William T.
Pritchett, Huntsville, Ala.; John Bur-
ton, Weldon, N. C.; Charles P. Nair,
Clifton Forge, Va.; John M. Griffin,
Fredericksburg, Va.

RIVER AND HARBOR MEASURE PASSES

Bill Goes Through Senate
Carrying an Appropriation
of \$52,500,000.

AMENDMENTS TACKLED ON ARE IMMATERIAL

Upper Branch of Congress Adopts
Provision for Improvements on
Streams of Country With Very
Slight Opposition—To Inquire Into
Building Ship Canal.

(By Associated Press.)
WASHINGTON, D. C., April 19.—
The river and harbor bill, carrying
an appropriation of about \$52,500,000,
was passed today by the senate.
There were no very material amend-
ments, but there was considerable de-
bate over various provisions.

Oppose Commission.
The portion of the bill receiving the
greatest degree of consideration was
the provision for the continuation of
the waterways commission until 1913.
Senator Newlands sought to have this
body converted into an legislative
body, but was unsuccessful.

Contending in the same connection
for a more systematic effort in the
improvement of the more important
waterways, Senator Owen declared
that more than a hundred streams
mentioned in the bill are unknown to
students of geography. He said that
basic streams, like the Mississippi,
the Ohio and the Missouri, should be
improved in advance of their tribu-
taries. He pointed out that the Arkan-
sas river, in Oklahoma, is entirely un-
served for in the bill, while he said
\$15,000,000 is to be expended on incon-
sequential streams in New Jersey.

Mr. Burton replied that the New
Jersey streams are not unimportant.

For Ship Canal.
Among the amendments adopted,
just before the bill was passed, was
one by Senator William Alden Smith,
authorizing the waterways commis-
sion to make inquiry into the feasi-
bility of a ship canal across the
state of Michigan.

DAUGHTERS HAVE STORMY CONVENTION

National Society Censures
Secretary for Dismissing
Miss Gerald as Clerk.

(By Associated Press.)
WASHINGTON, D. C., April 19.—
The forecasted storm broke in the
nineteenth congress of the National
Society of the Daughters of the Amer-
ican Revolution today when the ad-
ministration forces were sustained in
their first skirmish with the opposing
faction. The contest centered around
Miss Mary R. Wilcox, recording sec-
retary general who, after a wrangle,
was censured by the congress for is-
suing a circular criticizing Mrs. Mat-
thew T. Scott, the president general
of the society, in her dismissal of Miss
Agnes Gerald, a clerk at Continental
Hall, for alleged insubordination.

The question of disciplining Miss
Wilcox was presented to the session
by Mrs. Scott in her report as chair-
man of the national board of man-
agement. Instantly there was a chorus
of voices claiming recognition of the
chair. Finally Mrs. John G. Ames,
of Illinois, was recognized and she
moved that the board's recommenda-
tion be adopted.

PLEAD INSANITY IN MURDER CASE

Dr. J. R. Cahill Faces Court
on Charge of Killing
Robert Smithers.

(By Associated Press.)
ROANOKE, VA., April 19.—Insanity
is the plea entered today by the law-
yers for the defendant in the case of
Dr. J. R. Cahill, the Rocky Mount,
Va., dentist, on trial at that place for
the murder of Robert Smithers. Smith-
ers was killed in a pistol duel with
Cahill in November, 1908.

Witnesses today testified that
Smithers had boasted of being very
friendly with Cahill's wife, but that he
had denied his relations with her were
criminal.

Witnesses for the defense testified
that there were insanity in Cahill's
family and that the dentist had often
displayed unmistakable signs of being
of unsound mind.

ALL HOPE OF SAVING STEAMER ABANDONED

Transport Liner Minnehaha Still in
Grip of Rocks Off Sicily
Islands.

(By Associated Press.)
HUGHTOWN, ST. MARVS, SICILY
ISLANDS, April 19.—Three small
steamers and a schooner tonight are
standing by the wreck of the Atlantic
transport liner Minnehaha, which is
in the grip of the rocks of these
treacherous islands. All hope has
practically been abandoned of saving
the steamer and at noon today when
the tide was high, everybody was
ordered off the ship because of the
danger of her slipping from the reef
and going to the bottom. All except
sixty cattle, and most of the cargo,
have been safely landed, but there is
no food for the cattle.

BREAK WALKING RECORD.

Massachusetts Soldiers March Twen-
ty-six Miles in Five Hours.

(By Associated Press.)
LOWELL, MASS., April 19.—The
Middlesex county military marching
record, established 135 years ago by
a detachment of British troops, under
Lord Percy and Major Pitcairn in an
expedition from Boston to Concord,
was broken today by a squad of
eight men from Company F, of the
Fifth regiment of infantry of Wal-
ham, who covered the 26 miles from
Boston to this city in five hours and
forty-eight minutes.

BOY DIES OF LOCKJAW.

Richmond Lad Succumbs to Injuries
Caused by Nail in His Foot.

RICHMOND, VA., April 19.—J. Hen-
ry Sweeney, the twelve-year-old son
of James H. and Hattie Sweeney,
was taken to Memorial hospital last
night and died this morning of lock-
jaw, which was caused by a sore on
the bottom of one of his feet.
The sore was one of long stand-
ing and was due to a nail being
stuck in the boy's foot. Dr. Lewis
C. Boshier did all he could to save
the boy's life.

FOOD PRICES ON SLUMP

Authoritative Report from New
York Shows Decline.

LOWER FIGURES EXPECTED

Agricultural Publication in the Met-
ropolis Proves Assertion of Com-
parisons and Says Even Better Days
Are Yet to Come.

(By Associated Press.)
NEW YORK, April 19.—The present
sensational drop in the price of po-
tatoes may mean cheaper food of all
kinds. Farmers are closing out their
supply of old potatoes for as little as
twenty cents a bushel, which is the
lowest price in many years. Other
foods are also cheaper. As a result
of its investigation, the American Ag-
ricultural, for April 23, will say:
"A marked decline has occurred in
the prices of certain food products.
If this decline continues much longer
the commissions that are investigat-
ing big prices will find themselves
out of a job."

Figures Shown.
"Compared to the high point in
wheat last year, the present market
at Chicago shows a decline of 17
cents a bushel. The decline of corn
from the high point of last year is
19 cents and oats 20 cents. In other
words, the present wholesale price of
oats is 22 per cent below the highest
prices of last year. Corn is off 24
per cent, and wheat 14 per cent. Cot-
ton seed meal is off \$3 to \$4, or 8 to
10 per cent. Cotton itself is a frac-
tion of a cent a pound less than in
January, showing a decline of about
5 per cent.

"Potatoes have not been so low in
years, wholesale prices at present be-
ing at 40 to 50 per cent lower than
in November last. Vast numbers of
farmers held on to their potatoes un-
til the late winter or spring markets,
and are now glad to get rid of their
stock at 25 cents a bushel, whereas,
a year ago they were wholesaling at
Chicago at \$1 a bushel at this time."

Hogs Little Off.
"Butter has declined 6 per cent;
eggs have gone off as usual in the
spring. Even beef cattle have no
more than held the high quotations
of March, and hogs are a trifle off,
although still very high and prices
of sheep and lambs well maintained.
There has been a break in the price
of hay at country points in the west;
beans are also cheaper."

"Altogether, indications multiply
that a reaction in food prices has
taken place," the American Agricul-
tural says. "With good crops in 1910,
we may expect the price of food to
consumers to be considerably lower
than during the past twelve or eight-
teen months, although we do not look
for a return to the phenomenally low
prices of 10 and 20 years ago."

HAVENS CAPTURES G. O. P. STRONGHOLD

Democrat for Congress Wins
Most Remarkable Victory
in New York.

VOTES TURN TO TARIFF REFORM CANDIDATE

First Defeat is Received by the Re-
publicans in Monroe County for
Twenty Years and the Tide is Turn-
ed With Big Majority—People
Strike at Party Boss Principle.

Remarkable Victory.

Havens had arrayed against him
one of the strongest political organi-
zations in the state. Yet, in a cam-
paign lasting but seventeen days, and
with hastily constructed machinery,
he accomplished one of the most re-
markable overturns in political his-
tory. The result of today's election
takes its place beside the Democratic
victory in the Fourteenth Massachu-
setts district, where Eugene N. Foss
was sent to congress from a district,
supposed to be as rock-ribbed Republi-
can as this one.

Opponent's Policies.

Mr. Aldridge, his opponent, content-
ed himself with general proclamations
in favor of the policies of the Republi-
can administration.
On the tariff proposition he was re-
garded as a "stand-patter." Both can-
didates declared for reciprocity with
Canada, an employer's compensation
act, a parcels post and a postal sav-
ings bank.

The Democrats acknowledge that
one of the main factors in today's re-
versal of political sentiment was a
personal issue raised by Aldridge's
record as party boss and evidence
presented at the recent fire insurance
investigation. Mr. Aldridge acknowl-
edged that he received a \$1,000 check
from Elijah Kennedy, an agent of the
fire insurance companies, but denied
that he benefited personally by the
transfer. He declared that he turned
the money into the treasury of the
Republican organization.

Preachers Oppose Republicans.

This so-called "moral issue" was
taken up by the churches, and no less
than twenty clergymen announced
themselves in Haven's favor. Mr.
Aldridge's defense was that his record
stood for itself. He summoned to his
aid several thousand of Monroe coun-
ty voters, who were under obligation
to him for political favors, and today
the polling places were thronged with
workers for him. Outside of the dis-
trict he received little, if any, assist-
ance. Mr. Havens, on the other hand,
was helped by the Democratic national
committee which sent her speakers
of national reputation.

RHODES IS APPOINTED.

New Superintendent is Selected for the
Virginian Railroad.

(By Associated Press.)

NORFOLK, VA., April 19.—Lewis
B. Rhodes, has been appointed, effective
May 1, superintendent of motive
power of the Virginian Railroad, vice
R. P. C. Sanderson, resigned to ac-
cept service with the Baldwin Loco-
motive Works, at Philadelphia. Mr.
Rhodes comes from the Georgia
Southern & Florida Railroad. After a
service of 21 years with that line,
later as master mechanic.